

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

---

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

ROWNE HENTON JOHNSON,

Defendant-Appellant.

---

UNPUBLISHED  
October 30, 1998

No. 203172  
Kalamazoo Circuit Court  
LC No. 95-001166 FH

Before: Young, Jr., P.J., and Wahls and Jansen, JJ.

MEMORANDUM.

Defendant pleaded guilty to forgery, MCL 750.248; MSA 28.445, and was sentenced to three years' probation with six months of this probationary sentence to be served in the county jail. Defendant subsequently pleaded nolo contendere to violating the terms of his probation and was sentenced to two to fourteen years' imprisonment. Defendant appeals as of right. We affirm.

The trial court did not abuse its sentencing discretion and defendant's sentence is proportionate to the offense and offender, particularly in light of the circumstances surrounding the probation violation, defendant's assaultive criminal history and defendant's continued involvement in criminal activity while on probation. *People v Milbourn*, 435 Mich 630, 636; 461 NW2d 1 (1990); *People v Hardy*, 212 Mich App 318, 321; 537 NW2d 267 (1995); *People v Peters*, 191 Mich App 159, 167; 477 NW2d 479 (1991).

Affirmed.

/s/ Robert P. Young, Jr.  
/s/ Myron H. Wahls  
/s/ Kathleen Jansen